

IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 24, 1863.

Read twice, referred to the Committee of Elections, and ordered to be printed.

Mr. HAHN, on leave, introduced the following bill:

**A BILL**

To provide for the election of representatives in Congress from the  
State of Louisiana.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        That, until otherwise provided by the legislature of the State  
4        of Louisiana, representatives in Congress from said State  
5        shall be elected at the times, places, and in the manner pre-  
6        scribed in this act, anything in the laws of said State to the  
7        contrary notwithstanding.

1        SEC. 2. *And be it further enacted,* That, for the purpose  
2        of electing such representatives under the eighth census of  
3        the United States and the laws now in force apportioning  
4        the same among the States, the State of Louisiana is divided  
5        into five congressional districts, as follows: The first district  
6        comprises all that portion of the parish of Orleans lying  
7        below and east of Canal street in the city of New Orleans;

8 and all that portion of the same parish lying on the right  
 9 bank of the Mississippi river; and also the parishes of  
 10 Saint Bernard, Plaquemines, Saint Tamany, and Washington.  
 11 The second congressional district comprises all that portion  
 12 of the parish of Orleans lying above Canal street on the left  
 13 bank of the Mississippi river, and also the parishes of Jef-  
 14 ferson, Terrebonne, and Lafourche. The third congressional  
 15 district comprises the parishes of Saint Charles, Saint John,  
 16 Saint James, Ascension, Assumption, Livingston, Saint Helena,  
 17 Iberville, East Baton Rouge, West Baton Rouge, Point  
 18 Coupee, Saint Mary, and Saint Martin. The fourth congres-  
 19 sional district comprises the parishes of East Feliciana, West  
 20 Feliciana, Concordia, Avoyelles, Saint Landry, Lafayette,  
 21 Vermillion, Calcasieu, Rapides, Sabine, Natchitoches, De Soto,  
 22 Caddo, and Caldwell. The fifth congressional district com-  
 23 prises the parishes of Carroll, Madison, Tensas, Catahoula,  
 24 Franklin, Morehouse, Washita, Union, Jackson, Bienville,  
 25 Claiborne, Bossier, and Winn.

1        SEC. 3. *And be it further enacted,* That the representa-  
 2 tives in Congress from said State, under said census and  
 3 apportionment, shall be elected on the second Monday of July,  
 4 anno Domini eighteen hundred and sixty-three, and on the  
 5 second Monday of July, biennially, thereafter. The polls at  
 6 said election shall be opened between the hours prescribed  
 7 by the laws of Louisiana.

1        SEC. 4. *And be it further enacted,* That said election  
 2 shall be held at the court-house of each parish of the State,  
 3 or such other place or places as may be designated by the  
 4 returning officer; at which election all citizens of the parish  
 5 in which the election is held, having the qualifications of  
 6 of electors, prescribed in the tenth article of the constitution  
 7 of Louisiana, shall have the right to vote. The mode of con-  
 8 ducting said election and the proceedings at the polls, so far  
 9 as the same are not inconsistent with this act, shall be the  
 10 same as are prescribed in the laws of Louisiana.

1        SEC. 5. *And be it further enacted,* That, for the pur-  
 2 pose of holding and conducting said elections, the sheriffs  
 3 shall be the returning officers of their respective parishes, and  
 4 where there is no sheriff the acting governor of the State  
 5 shall appoint for each parish one officer, to be styled the  
 6 "returning officer" of the parish, who shall appoint three  
 7 judges or inspectors of said election for each ballot-box, either  
 8 of whom may administer any oath or affirmation authorized  
 9 by law to be administered in conducting said election. Said  
 10 returning officers and inspectors shall be resident freeholders  
 11 of the parish for which they are appointed. Said inspectors  
 12 may appoint as many clerks to aid them in recording the  
 13 names of the voters at said election in the poll lists, and in  
 14 counting the votes, as they shall deem necessary, not exceed-  
 15 ing two in number for each ballot-box. And it shall be the

16 duty of such returning officers to provide as many ballot-  
17 boxes, respectively, and to appoint inspectors therefor at each  
18 place fixed for voting as may be necessary; and the same  
19 may be increased at any time during the progress of the  
20 voting, if necessary.

1       SEC. 6. *And be it further enacted*, That each of said  
2 officers, including the clerks, before entering upon his duty  
3 shall take an oath to support, protect, and defend the Consti-  
4 tution and government of the United States against all  
5 enemies, domestic and foreign, and to bear true faith, allegi-  
6 ance, and loyalty to the same, any law, ordinance, or resolu-  
7 tion of any State legislature or convention to the contrary  
8 notwithstanding. Each returning officer and clerk shall also  
9 take the oaths prescribed for inspectors and clerks of election,  
10 respectively, by the laws of Louisiana.

1       SEC. 7. *And be it further enacted*, That the acting gov-  
2 ernor shall give thirty days' notice of the time of holding  
3 such election by publication in at least two newspapers  
4 printed in said State, and, if practicable, in one newspaper  
5 published in, or in general circulation in each congressional  
6 district; and it shall also be the duty of said returning officers  
7 of the parish to give notice by written advertisement, at the  
8 court-house door and other public places in such parish, of  
9 the time and places for holding said election as soon as pos-  
10 sible after receiving notice of his or their appointment.

1        SEC. 8. *And be it further enacted*, That at a reasonable  
2 time, and not less than ten days, prior to each election, the  
3 acting governor shall issue and cause to be delivered to the  
4 returning officer in each parish a writ of election, command-  
5 ing him to hold said election and make his return according  
6 to law.

1        SEC. 9. *And be it further enacted*, That every person  
2 offering to vote at any election by this act provided for,  
3 whose right to vote shall be challenged by any legal voter on  
4 the ground of disloyalty to the United States, shall take and  
5 subscribe the following oath, to wit: "I,                      , do  
6 solemnly swear (or affirm) that I will support, protect, and  
7 defend the Constitution and government of the United States  
8 against all enemies, whether domestic or foreign; that I will  
9 bear true faith, allegiance, and loyalty to the same, any  
10 ordinance, resolution, or law of any State convention, legisla-  
11 ture, or other organization, secret or otherwise, to the contrary  
12 notwithstanding; and that I do this with a full determination  
13 and of my own free will, without any mental reservation or  
14 evasion whatsoever."

1        SEC. 10. *And be it further enacted*, That, so soon as  
2 practicable after the polls are closed and the votes counted,  
3 the poll-books containing the names of the candidates voted for,  
4 and the number of votes cast for each, shall be certified and  
5 signed by the inspectors, and the poll-lists containing the

names of all the electors who voted at said election shall be certified and signed by the clerks, and thereupon said poll-lists and poll-books shall be delivered to the returning officer of the parish, who shall deliver them at the office of the secretary of state at the same time with the return of the writ of election, there to be filed and preserved.

SEC. 11. *And be it further enacted,* That upon the return of the writs of election the acting governor and secretary of state shall, in presence of such of the candidates and electors as may choose to be present, canvass all the said returns so made, and compare each return with the poll-book from the same parish; and upon ascertaining the number of votes cast for each candidate voted for, the acting governor shall make and deliver to the candidate having the highest number of votes in his district an official certificate of his election.

SEC. 12. *And be it further enacted,* That if, from any cause, the people of any congressional district in said State shall fail to elect a representative to Congress at the time provided for such election in this act, or if after such election a vacancy in the representation of any district shall occur by death, resignation, or otherwise, it is made the duty of the acting governor to issue writs of election to fill the vacancy so existing; which writs shall be executed and returned, the election notified and conducted, and its results authenticated in all respects in conformity with this act.